



CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date appearing below.

ELI LILLY AND COMPANY

By: KS Roades

Date 11-17-03

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Janet M. Hock, et al.	)	
			)	
Serial No.	:	09/647,278	)	
			)	Group Art. Unit:
Filed	:	September 26, 2000	)	1646
			)	
For	:	Method of Increasing Bone	)	
		Toughness and Stiffness and	)	
		Reducing Fractures	)	Examiner:
			)	R. Li
Docket No.	:	X-11965	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Sir:

Applicants submit herewith a request under 37 C.F.R. 1.114 for continued examination of the above-identified application. Applicants file this request and amendment in response to the Final Rejection dated April 30, 2003, Paper No. 14, and subsequent Advisory Action dated July 23, 2003.

Applicants also submit an Information Disclosure Statement, Form 1449, that cites three additional documents. Applicants have redacted non-material, proprietary information where appropriate in accordance with the provisions of MPEP §724.

Please amend the application as follows: Amendments to the claims begin on page 2 of this paper. Remarks begin on page 3 of this paper.



Image

164 b

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date appearing below.

ELI LILLY AND COMPANY

By

*YSRoades*

Date

*11-17-03*

**PATENT APPLICATION**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants	:	Janet M. Hock et al.	)
Serial No.	:	09/647,278	)
Filed:		September 26, 2000	)
For:		Method of Increasing Bone Toughness and Stiffness and Reducing Fractures	)
Docket No.	:	X-11965	)
			)
			)
			)
			)

Attention:  
Legal Instruments  
Examiner G. Trammell

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Attention: Mail Stop Sequence

Sir:

This is in response to a "Notice of Non-Compliant Amendment" under 37 CFR 1.121 dated November 7, 2003, noting that a complete listing of all claims was not present in the Preliminary Amendment filed on October 31, 2003.

Pursuant to this Notice, enclosed herewith are:

- 1) pages 1-2 of the Preliminary Amendment filed on October 31, 2003 containing the entire "Amendments to the Claims".

Respectfully submitted,

*Thomas D. Webster*

Thomas D. Webster, PhD  
Attorney for Applicants  
Registration No. 39,872  
Phone: 317-276-3334

Eli Lilly and Company  
Patent Division/TDW  
P.O. Box 6288  
Indianapolis, Indiana 46206-6288

*November 17, 2003*